

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for Reissue of:
Patent No. 5,443,833

Patentees: ANDREW R. CLARK §
PAUL WRIGHT §
JULIA H. RATCLIFFE § Attorney Docket No.: 2553.004
§
Assignee: Fisons, plc §
§
Issued: August 22, 1995 §
§
For: PHARMACEUTICAL §
COMPOSITIONS §

**REISSUE DECLARATION OF STEPHEN A. JONES
UNDER 37 C.F.R. 1.175(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As one of the attorneys involved in the prosecution of the applications which ultimately issued as U.S. Patent No. 5,443,833 on August 22, 1995, I hereby declare:

1. My residence, post office address and citizenship are as stated below, underneath my name.
2. I was employed by Fisons plc from 1986 to 1990. In 1990 I joined Lewis & Taylor, Chartered Patent Agents, 144 New Walk, Leicester LE1 7JA, and am now a partner in that firm. *SG*
3. As an employee of Fisons plc I drafted the application that was filed on December 16, 1987 and given U.S. Serial Application 07/133,520. I recall that in one aspect the invention of

Andrew Clark, Paul Wright and Julia Ratcliffe was directed to a method of treatment of certain ophthalmic conditions. This is evident from, for example, column 1, lines 39-44 of the issued U.S. patent.

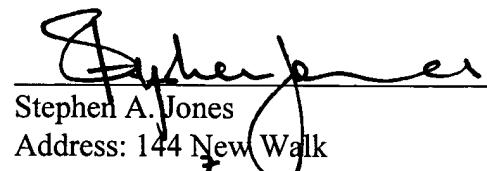
4. When the attorneys of the Fisons plc Industrial Property department transferred to Astra Charnwood, this file and others were transferred to me at Lewis & Taylor for handling. I thus took responsibility for the handling of the application that led to U.S. Patent 5,433, 833, as well as other files.

5. Shortly before these files were transferred to Lewis & Taylor, I met with Alison Blakey and her colleagues to discuss the files being transferred. The discussion was brief and very general in nature. In fact, I do not recall this application being specifically discussed. It is my belief that this file was not discussed because claims had already been allowed and an issue fee had been paid or was requested to be paid. Accordingly, I did not review this file in detail to determine if any patentable subject matter remained unclaimed. On 14 August 1995 I received notification that the patent would issue on 22 August 1995 and I passed that information to Fisons plc.

6. After the Fisons plc Industrial Property department attorneys transferred to Astra Charnwood my main contacts with Fisons plc were the remaining administrative staff of that department who were not familiar with substantive aspects of the prosecution of patent applications. For a period of a few months, I experienced some difficulty in obtaining clear instructions in relation to several matters. Later, in October or November 1995, Fisons appointed an experienced intellectual property manager and the situation improved.

I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements

were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

 15 August 1997
Stephen A. Jones
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Leicester LE1 7JA
Citizenship: Great Britain



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